

MAY 17 2007

**BLAKELY SOKOLOFF TAYLOR & ZAFMAN LLP**

TELEPHONE: (303) 740-1980

INTELLECTUAL PROPERTY LAW  
12400 WILSHIRE BOULEVARD, 7TH FLOOR  
LOS ANGELES, CA 90025

FACSIMILE: (303) 740-6962

**FACSIMILE COVER SHEET**

Deliver to: Eric B. Kiss, USPTO \_\_\_\_\_ Art Group: 2192 \_\_\_\_\_  
 Facsimile No.: (571) 273-8300 \_\_\_\_\_ Date: \_\_\_\_\_  
 From: Brent E. Vecchia, Reg. No. 48,011 \_\_\_\_\_  
 Our Docket No.: 42390P12485 \_\_\_\_\_ Number of pages: 5 including this sheet.  
 Application No.: 10/039,254 \_\_\_\_\_ Filing Date: 1/2/2002 \_\_\_\_\_  
 Docket Due Date(s): \_\_\_\_\_

Enclosed are the following documents:

<input type="checkbox"/> Amendment: _____ ( ____ pgs)	<input type="checkbox"/> Issue Fee Transmittal
<input type="checkbox"/> Appeal Brief ( ____ pgs)	<input type="checkbox"/> Notice of Appeal
<input type="checkbox"/> Application: _____ ( ____ pgs) w/cover & abstract	<input type="checkbox"/> Petition for: _____
<input type="checkbox"/> Assignment & Cover Sheet ( ____ pgs)	<input type="checkbox"/> Request for Continued Examination (RCE)
<input checked="" type="checkbox"/> Certificate of Facsimile	<input type="checkbox"/> Reply Brief ( ____ pgs)
<input type="checkbox"/> Continued Prosecution Application (CPA)	<input type="checkbox"/> Request & Certification Under 35 USC 122(b)(2)(B)(i)
<input type="checkbox"/> Declaration & POA ( ____ pgs)	<input type="checkbox"/> Request to Rescind Previous Nonpublication Request
<input type="checkbox"/> Drawings: ____ sheets, ____ figures	<input type="checkbox"/> Response to Notice of Missing Parts & Formalities Letter
<input type="checkbox"/> Extension of Time: _____	<input type="checkbox"/> Response to Written Opinion ( ____ pgs)
<input checked="" type="checkbox"/> Fee Transmittal (in duplicate)	<input type="checkbox"/> Terminal Disclaimer
<input type="checkbox"/> IDS & PTO/SB/08 ( ____ pgs)	<input type="checkbox"/> Transmittal of Publication Fee Due
<input checked="" type="checkbox"/> Other: <u>Comments on Statement of Reasons for Allowance</u>	<input checked="" type="checkbox"/> Transmittal Letter

**CERTIFICATE OF MAILING/TRANSMISSION (37 CFR 1.8A)**

I hereby certify that this correspondence is being transmitted by facsimile on the date shown below to the United States Patent and Trademark Office.

Wendi Lou Rostan 5-17-07  
 Wendi Lou Rostan Date

**Confidentiality Note:** The documents accompanying this facsimile transmission contain information from the law firm of Blakely, Sokoloff, Taylor & Zafman which is confidential or privileged. The information is intended to be for the use of the individual or entity named on this transmission sheet. If you are not the intended recipient, be aware that any disclosure, copying, distribution or use of the contents of this faxed information is prohibited. If you have received this facsimile in error, please notify us by telephone immediately so that we can arrange for the retrieval of the original documents at no cost to you.

If you do not receive all the pages, or if there is any difficulty in receiving, please call: (303) 740-1980 and ask for Wendi Lou Rostan.

**RECEIVED**  
CENTRAL FAX CENTER

**MAY 17 2007**

<b>TRANSMITTAL FORM</b> (to be used for all correspondence after initial filing)		Application No.	10/039,254
		Filing Date	January 2, 2002
		First Named Inventor	Roni Rosner
		Art Unit	2192
		Examiner Name	Eric B. Kiss
Total Number of Pages in This Submission	5	Attorney Docket Number	42390P12485

ENCLOSURES (check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> PTO/SB/08 <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Basic Filing Fee <input type="checkbox"/> Declaration/POA <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): <div style="border: 1px solid black; padding: 5px; margin-top: 10px;">         Comments on Statement of Reasons for Allowance &amp; Fax Cover Sheet       </div>
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	Brent E. Vecchia, Reg. No. 48,011 BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP
Signature	<i>Brent E. Vecchia</i>
Date	5/17/07

CERTIFICATE OF MAILING/TRANSMISSION			
I hereby certify that this correspondence is being transmitted via facsimile on the date shown below to the United States Patent and Trademark Office.			
Typed or printed name	Wendi Lou Rostan		
Signature	<i>Wendi Lou Rostan</i>	Date	5-17-07

Based on PTO/SB/21 (09-04) as modified by Blakely, Sokoloff, Taylor & Zafman (ndc) 10/12/2006.  
 SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

MAY 17 2007

**FEE TRANSMITTAL  
for FY 2006**

Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27.**TOTAL AMOUNT OF PAYMENT** (\$) 0.00**Complete if Known**

Application Number 10/039,254  
 Filing Date January 2, 2002  
 First Named Inventor Roni Rosner  
 Examiner Name Eric B. Kiss  
 Art Unit 2192  
 Attorney Docket No. 42390P(2485)

**METHOD OF PAYMENT (check all that apply)**
☐ Check ☐ Credit card ☐ Money Order ☐ None ☐ Other (please identify):

☒ Deposit Account Deposit Account Number: 02-2666 Deposit Account Name: Blakely, Sokoloff, Taylor & Zafman LLP

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☐ Charge fee(s) indicated below☐ Charge fee(s) indicated below, except for the filing fee☒ Charge any additional fee(s) or underpayment of fee(s) during the pendency of this application.☒ Credit any overpayments☒ Any concurrent or future reply that requires a petition for extension of time should be treated as incorporating an appropriate petition for extension of time and all required fees should be charged.**FEE CALCULATION****1. EXTRA CLAIM FEES**

Total Claims	Extra Claims	Fee from below	Fee Paid
33	35*	0	\$0.00
Independent Claims	6*	0	\$0.00
Multiple Dependent			

Large Entity		Small Entity		Fee Description
Fee Code	Fee (\$)	Fee Code	Fee (\$)	
1202	50	2202	25	Claims in excess of 20
1201	200	2201	100	Independent claims in excess of 3
1203	360	2203	180	Multiple Dependent claim, if not paid
1204	790	2204	395	**Reissue independent claims over original patent
1205	300	2205	150	**Reissue claims in excess of 20 and over original patent

SUBTOTAL (1)

(\$) 0.00

\*\*or number previously paid, if greater. For Reissues, see below

**2. ADDITIONAL FEES**

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
2053	130	2053	130	Non-English specification	
1251	120	2251	60	Extension for reply within first month	
1252	450	2252	225	Extension for reply within second month	
1253	1,020	2253	510	Extension for reply within third month	
1254	1,590	2254	795	Extension for reply within fourth month	
1255	2,160	2255	1,080	Extension for reply within fifth month	
1401	500	2401	250	Notice of Appeal	
1402	500	2402	250	Filing a brief in support of an appeal	
1403	1,000	2403	500	Request for oral hearing	
1481	1,510	2451	1,510	Petition to institute a public use proceeding	
1450	130	2450	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	
1809	790	1809	395	Filing a submission after final rejection (37 CFR § 1.129(a))	
1810	790	2810	395	For each additional invention to be examined (37 CFR § 1.129(b))	

Other fee (specify)

SUBTOTAL (2)

(\$)

**SUBMITTED BY**

Name (Print/Type) Brent E. Vecchia

Registration No. 48,011  
(Attorney/Agent)**Complete (if applicable)**

Telephone (303) 740-1980

Signature

Brent E. Vecchia

Date

5/17/07

Based on PTO/SB-17 (02-07) as modified by Blakely, Sokoloff, Taylor & Zafman (wtr) 02/26/2007.  
SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

# FEE TRANSMITTAL for FY 2006

Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27.

TOTAL AMOUNT OF PAYMENT (\$)

0.00

## Complete If Known

Application Number 10/039,254  
Filing Date January 2, 2002  
First Named Inventor Roni Rosner  
Examiner Name Eric B. Kiss  
Art Unit 2192  
Attorney Docket No. 42390P12485

## METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit card ☐ Money Order ☐ None ☐ Other (please identify):

☒ Deposit Account Deposit Account Number: 02-2666 Deposit Account Name: Blakely, Sokoloff, Taylor & Zafman LLP

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☐ Charge fee(s) indicated below

☐ Charge fee(s) indicated below, except for the filing fee

☒ Charge any additional fee(s) or underpayment of fee(s) during the pendency of this application.

☒ Credit any overpayments

☒ Any concurrent or future reply that requires a petition for extension of time should be treated as incorporating an appropriate petition for extension of time and all required fees should be charged.

## FEE CALCULATION

### 1. EXTRA CLAIM FEES

Total Claims	Extra Claims	Fee from below	Fee Paid
33	35*	0	\$0.00
Independent Claims	6	0	\$0.00
Multiple Dependent			

#### Large Entity

Fee Code	Fee (\$)
1202	50
1201	200
1203	350
1204	790
1205	300

#### Small Entity

Fee Code	Fee (\$)
2202	25
2201	100
2203	180
2204	395
2205	150

#### Fee Description

Claims in excess of 20  
Independent claims in excess of 3  
Multiple Dependent claim, if not paid  
\*\*Reissue independent claims over original patent  
\*\*Reissue claims in excess of 20 and over original patent

SUBTOTAL (1)

(\$)

0.00

\*or number previously paid, if greater, For Reissues, see below

### 2. ADDITIONAL FEES

#### Large Entity

Fee Code	Fee (\$)
1051	130
1052	50
2053	130
1251	120
1252	450
1253	1,020
1254	1,580
1255	2,150
1401	500
1402	500
1403	1,000
1451	1,510
1460	130
1807	50
1808	180
1809	790
1810	790

Other fee (specify)

#### Small Entity

Fee Code	Fee (\$)
2051	65
2052	25
2053	130
2251	60
2252	225
2253	510
2254	795
2255	1,080
2401	250
2402	250
2403	500
2451	1,510
2460	130
1807	50
1808	180
1809	395
2810	395

#### Fee Description

Surcharge - late filing fee or oath  
Surcharge - late provisional filing fee or cover sheet  
Non-English specification  
Extension for reply within first month  
Extension for reply within second month  
Extension for reply within third month  
Extension for reply within fourth month  
Extension for reply within fifth month  
Notice of Appeal  
Filing a brief in support of an appeal  
Request for oral hearing  
Petition to institute a public use proceeding  
Petitions to the Commissioner  
Processing fee under 37 CFR 1.17(a)  
Submission of Information Disclosure Stmt  
Filing a submission after final rejection (37 CFR § 1.129(a))  
For each additional invention to be examined (37 CFR § 1.129(b))

SUBTOTAL (2)

(\$)

#### Fee Paid

## SUBMITTED BY

Name (Print/Type) Brent E. Vecchia

Registration No. (Attorney/Agent)

48,011

## Complete (if applicable)

Telephone

(303) 740-1980

Signature

*Brent E. Vecchia*

Date

5/17/07

Based on PTO/5B/17 (02-07) as modified by Blakely, Sokoloff, Taylor & Zafman (wtr) 02/26/2007.  
SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

MAY 17 2007

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application. No. : 10/039,254  
1<sup>st</sup> Named Inventor : Roni Rosner  
Filed : 01/02/2002  
Docket No. : 42P12485

Confirmation No. : 9368  
Art Unit : 2192  
Examiner : Eric B. Kiss  
Customer No. : 8791

COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE (37 CFR 1.104 (e))

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

CERTIFICATE OF TRANSMISSION (37 CFR 1.8A)

I hereby certify that this correspondence is, on the date shown below, being transmitted by facsimile to the Patent and Trademark Office.

Wendi Lou Rostan  
Wendi Lou Rostan

5-17-07  
Date

Sir:

As an initial matter, the undersigned would like to thank the Examiner for the search and review of the above-captioned application and the allowance of claims in the Notice of Allowance. In response to the Notice of Allowance, the undersigned submits herein a statement commenting on the reasons for allowance and respectfully requests that this statement be made of record.

*Statement Commenting on the Reasons for Allowance*

The Examiner, in the statement of reasons for allowance, may have referenced some of the limitations from some of the allowed claims. To clarify the record for anyone who may later view the file wrapper in this application, the undersigned would like to remark that each claim should be construed to include only those limitations that are explicitly recited in the language of the claim. The reasons provided should not be used to interpret the patent claims, or to produce any prosecution history estoppel.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR &amp; ZAFMAN LLP

Dated: 5/17/07By Brent E. Vecchia

Brent E. Vecchia, Reg. No. 48,011

Tel.: (303) 740-1980 (Mountain Time)

12400 Wilshire Boulevard, Seventh Floor  
Los Angeles, California 90025